

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 2:11-cr-00312-MMD-PAL

Plaintiff,

ORDER ACCEPTING REPORTS AND RECOMMENDATIONS OF MAGISTRATE JUDGE PEGGY A. LEEN

ANIL K. MATHUR,

Defendant.

Before the Court are two separate Reports and Recommendations of United States Magistrate Judge Peggy A. Leen (dkt. nos. 112 & 117) ("Recommendations") relating to Defendant Anil K. Mathur's two Motions to Dismiss (dkt. nos. 48 & 51). No objection to the Recommendations has been filed.

This Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge’s report and recommendation, then the court is required to “make a *de novo* determination of those portions of the [report and recommendation] to which objection is made.” 28 U.S.C. § 636(b)(1). Where a party fails to object, however, the court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. See *United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to

1 which no objections were made); see also *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219,
2 1226 (D. Ariz. 2003) (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting
3 the view that district courts are not required to review "any issue that is not the subject of
4 an objection."). Thus, if there is no objection to a magistrate judge's recommendation,
5 then the court may accept the recommendation without review. See, e.g., *Johnstone*,
6 263 F. Supp. 2d at 1226 (accepting, without review, a magistrate judge's
7 recommendation to which no objection was filed).

8 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to
9 determine whether to adopt Magistrate Judge Leen's Recommendations. Upon
10 reviewing the Recommendations and the records in this case, this Court finds good
11 cause to adopt the Magistrate Judge's Recommendations in full.

12 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the two
13 Reports and Recommendations of Magistrate Judge Peggy A. Leen (dkt. nos. 112 &
14 117) be accepted and adopted in their entirety.

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16 DATED THIS 3rd day of October 2012.

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UNITED STATES DISTRICT JUDGE